



San Diego City Attorney **CASEY GWINN**

MEDIA RELEASE

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BAR OWNER SENTENCED FOR EMPLOYEE'S SMOKING

A San Diego bar owner was convicted today of a misdemeanor violation because his employee was smoking behind the bar. Marc William Rosenberg, owner of *Lancers* in the City of San Diego, pled no contest to the charge in San Diego Superior Court. Judge Robert O'Neill sentenced Rosenberg to three years probation, fined him \$200, and ordered Rosenberg to mail a public service announcement warning other bar owners to obey the smoke-free bar laws.

The San Diego City Attorney's Consumer and Environmental Protection Unit filed charges against Rosenberg after the San Diego Police Department cited his bartender for smoking behind the bar. Three customers in the bar were also cited for smoking. Under California law, it is unlawful for an employee to use tobacco in any form where food, including beverages, is prepared or served. The bar or restaurant owner can also be prosecuted if an employee smokes in the establishment.

"The smoke-free bar and restaurant laws protect the health of employees and customers," City Attorney Casey Gwinn said. "This case is a reminder to everyone that it is against the law to smoke in an enclosed bar or restaurant in California."

For more information on the smoke-free bar and restaurant laws or to report a violation, contact the San Diego County Office of Health Promotion at (619) 515-6693.

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